

12/08/08

lfu



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Nishikawa et al.
SERIAL NUMBER : 10/593,518 EXAMINER : Elly Gerald Stoica
FILING DATE : May 22, 2007 ART UNIT : 1647
FOR : GENE PROMOTING VASCULAR ENDOTHELIAL CELL GROWTH

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copy of cited reference B1; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 29473-013 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

IA Beattie

Ingrid A Beattie, Reg. No. 42,306
Attorney for Applicants
c/o MINTZ, LEVIN
Address all written correspondence to
Customer no.: 30623
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: December 5, 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Nishikawa et al.

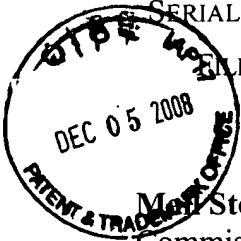
SERIAL NUMBER : 10/593,518

EXAMINER : Elly Gerald Stoica

MAILING DATE : May 22, 2007

ART UNIT : 1647

FOR : GENE PROMOTING VASCULAR ENDOTHELIAL CELL GROWTH



Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed within three months of the mailing dates of the European Office Action for EP 05 721 019.7, mailed October 8, 2008. Accordingly, no fee is believed required. By the waiver of 37 CFR 1.98(a)(2)(ii) a copy of the U.S. Patent A1-A1 is not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Nishikawa et al.
U.S.S.N.: 10/593,518

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 29473-013 NATL.

Respectfully submitted,

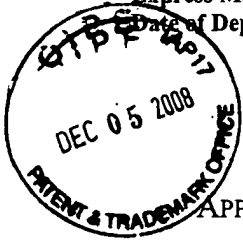


Ingrid A Beattie, Reg. No. 42,306
Attorney for Applicants
c/o MINTZ, LEVIN
Address all written correspondence to
Customer no.: 30623
Tel: (617) 542-6000
Fax: (617) 542-2241

Date: December 5, 2008

ACTIVE 4490217v.1

COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Nishikawa et al.
SERIAL NUMBER : 10/593,518 EXAMINER : Elly Gerald Stoica
FILING DATE : May 22, 2007 ART UNIT : 1647
FOR : GENE PROMOTING VASCULAR ENDOTHELIAL CELL GROWTH

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copy of cited reference B1; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 29473-013 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

A handwritten signature in black ink that reads "I A Beattie". The signature is written in a cursive, somewhat stylized font.

Ingrid A Beattie, Reg. No. 42,306

Attorney for Applicants

c/o MINTZ, LEVIN

Address all written correspondence to

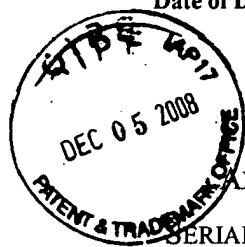
Customer no.: 30623

Tel: (617) 542-6000

Fax: (617) 542-2241

Dated: December 5, 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANTS : Nishikawa et al.
SERIAL NUMBER : 10/593,518 EXAMINER : Elly Gerald Stoica
FILING DATE : May 22, 2007 ART UNIT : 1647
FOR : GENE PROMOTING VASCULAR ENDOTHELIAL CELL GROWTH

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed within three months of the mailing dates of the European Office Action for EP 05 721 019.7, mailed October 8, 2008. Accordingly, no fee is believed required. By the waiver of 37 CFR 1.98(a)(2)(ii) a copy of the U.S. Patent A1-A1 is not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Nishikawa et al.
U.S.S.N.: 10/593,518

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 29473-013 NATL.

Respectfully submitted,



Ingrid A Beattie, Reg. No. 42,306
Attorney for Applicants
c/o MINTZ, LEVIN
Address all written correspondence to
Customer no.: 30623
Tel: (617) 542-6000
Fax: (617) 542-2241

Date: December 5, 2008

ACTIVE 4490217v.1